



1 WHEREAS, Plaintiffs assert claims under the federal Truth-in-Lending Act, all of which  
2 IGL disputes; and

3 WHEREAS, IGL has noticed a trustee sale of the real property which is the security for the  
4 loan which is the subject of this litigation for July 18, 2007; and

5 WHEREAS, Plaintiffs have arranged refinancing sufficient to pay off IGL's current demand  
6 in full; and

7 WHEREAS, the parties wish to preserve their existing rights in this litigation while allowing  
8 for refinancing of the mortgage loans secured by the real property which is the subject of this  
9 litigation; now, therefore:

10 IT IS HEREBY STIPULATED BY AND BETWEEN THE UNDERSIGNED  
11 PARTIES that:

- 12 1. Plaintiffs may proceed with their refinancing of the mortgage loans secured by the  
13 real property (the "refinancing") which is the subject of this litigation, as well as  
14 other loans secured by the subject property.
- 15 2. From the funding of the refinancing the parties shall instruct Escrow to pay to  
16 IGL the sum of One Million, Two Hundred and Thirty-Two Thousand and  
17 Five Hundred Dollars (\$1,232,500).
- 18 3. The balance of the proceeds from the refinancing of the amount stated in IGL's  
19 payoff demand (the balance being \$655,564.09) shall remain in the Escrow account  
20 or, if the Escrow is not willing to hold the funds, the Parties shall direct the Escrow  
21 holder to place the funds into an interest-bearing account of the parties choice,  
22 subject to the instructions of all parties or the further order of the Court.
- 23 4. Defendants shall cause a full reconveyance of the deed of trust securing the  
24 loan to be recorded.

1 By this Stipulation, the parties expressly make no admission of any kind with respect to the  
2 merits of this lawsuit and preserve all rights and claims as between the parties as presented in this  
3 action.

4 Dated: July 12, 2007

JENKINS MULLIGAN & GABRIEL LLP

5  
6 By: /s/ Daniel J. Mulligan  
7 DANIEL J. MULLIGAN  
8 Attorneys for Plaintiffs  
FLETCHER HARTWELL HYLER and  
SHERYL ROOT HYLER

9  
10 Dated: July 12, 2007

LAW OFFICE OF MICHAEL E. STONE

11  
12 By: /s/ Michael E. Stone  
13 MICHAEL E. STONE  
14 Attorneys for Defendants

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19 **ORDER**

20  
21 Pursuant To Stipulation, IT IS SO ORDERED.

22  
23 Dated: July 17, 2007



24 Hon. William Alsup  
25 Judge, U.S. District Court  
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